

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

ECF Case

Plaintiff,

Civil Action No. 12 CV 8791 (CM)

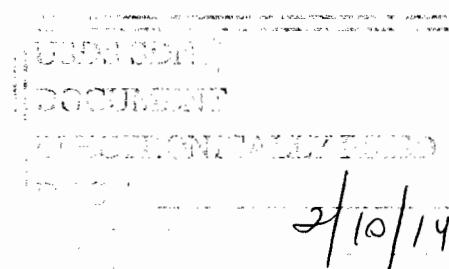
-against-

ERIC MONCADA,  
BES CAPITAL LLC, and  
SERDIKA LLC,

NOTICE OF MOTION

Defendants.

-----X



Upon the annexed Affirmation of Richard M. Asche, dated February 7, 2014, and all prior pleadings herein, the defendant Eric Moncada, on consent of the plaintiff U.S. Commodity Futures Trading Commission, moves this Court for an order extending the time to respond to plaintiff's motion for summary judgment from February 12, 2014 to February 26, 2014, and the time of plaintiff to file any affidavits or memoranda from February 19, 2014 to March 12, 2014.

Dated:           New York, New York  
                  February 7, 2014

**MEMO ENDORSED**

Litman, Asche & Gioiella, LLP  
Attorneys for Defendant Eric Moncada

By:    /s/   Richard M. Asche  
          Richard M. Asche (RMA7081)

140 Broadway – 38<sup>th</sup> Floor  
New York, New York 10005  
(212) 809-4500

*Richard M. Asche*  
2/10/14